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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 R. R. Donnelley & Sons Company,

12 Plaintiff,

13 v.

14 John Pappas III, et al.,

15 Defendants,

16 And Related Counterclaims  
17

No. 2:21-cv-00753-KJM-AC

ORDER

18  
19 Plaintiff R. R. Donnelley alleges its former employee, defendant John Pappas III, took  
20 confidential pricing information, contact lists, customer data, and other materials with him when  
21 he left the company in early 2021. *See generally* First Am. Compl., ECF No. 31. After R. R.  
22 Donnelley filed this action, Pappas agreed to a stipulated preliminary injunction that among other  
23 things bars him from “deleting or manipulating any Confidential Information or other data” and  
24 requires him to make his cloud-based storage accounts available to a third party investigator. *See*  
25 Stip. Prelim. Inj. at 2, ECF No. 12. R. R. Donnelley argues Pappas violated the injunction and  
26 moves to hold Pappas in contempt. It claims he has deleted several documents and has withheld  
27 access to his Dropbox account. *See generally* Mot. Contempt., ECF No. 47. A hearing on the

1 contempt motion is currently scheduled for this Friday, July 29, 2022. *See* Min. Order, ECF No.  
2 57. It is fully briefed. *See generally* Opp’n, ECF No. 59; Reply, ECF No. 63.

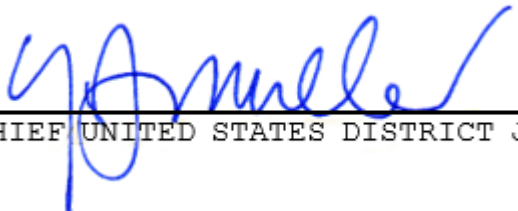
3 Pappas now moves to continue the hearing. *See generally* Mot. Cont., ECF No. 68. He  
4 argues first that he needs more time to obtain and review discovery materials that might shed light  
5 on whether the files he deleted were the only available copies. *See id.* at 2–4. Second, he argues  
6 he needs time to review testimony provided during the June deposition of R. R. Donnelley’s  
7 forensic expert and the July 26 deposition of a neutral forensic expert. *See id.* at 4. R. R.  
8 Donnelley opposes the motion. It points out that the hearing has already been delayed. *See*  
9 *generally* Opp’n Cont., ECF No. 69; Stip. & Order, ECF No. 57; Min. Order, ECF No. 54. It also  
10 argues the discovery Pappas seeks has already been produced and is irrelevant. *See* Opp’n at 4–7.

11 Pappas did not request more time to seek documents and testimony when he opposed the  
12 pending contempt motion. This omission undermines his claim that any additional information is  
13 necessary. His arguments about this additional evidence are also unpersuasive. He does not  
14 explain why it is necessary to know whether the documents he deleted were the only available  
15 copies. The protective order currently in place does not draw distinctions between documents  
16 with and without duplicates. Stip. Prelim. Inj. at 2. Nor does Pappas explain why the deposition  
17 testimony he seeks is so relevant that the court should again delay the hearing. **The motion to**  
18 **continue (ECF No. 68) is denied.**

19 After reviewing the contempt motion and supporting briefs, the court finds oral arguments  
20 are unnecessary. **The contempt motion (ECF No. 47) is thus submitted on the briefs;** oral  
21 arguments will be reset at a later date only if necessary. *See* E.D. Cal. L.R. 230(g).

22 IT IS SO ORDERED.

23 DATED: July 26, 2022.

  
CHIEF UNITED STATES DISTRICT JUDGE